

### REMARKS

In response to the Office Action mailed March 5, 2004, Applicants respectfully request reconsideration based the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-14 were pending in this application. Applicants have amended claims 1, 2, 4, 6, 7, 9, and 13, canceled claims 3, 5, 10-11, and 14, and added new claims 15-25. After the entry of the amendments, claims 1-2, 4, 6-9, 12-13, and 15-25 will be pending, of which claims 1 and 16 are independent claims. As the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action, the Examiner maintained his position that claims 1-14 were rejected under 35 USC § 103(a) as being unpatentable over U. S. Patent No. 6,373,930 to McConnell et al. ("McConnell"). The Examiner admitted that McConnell does not specifically disclose the IVRU reciting a previous transaction to the user in response to receiving information from the user. However, the Examiner asserted that such a feature is well known in the art. Further, the Examiner asserted that the suggestion or motivation for this limitation is not only based on well known prior art, but is also found in McConnell, such as col. 5, lines 59-62. For the reasons below, Applicants respectfully traverse the rejections.

Applicants have amended independent claim 1 to recites that an IVR application on a peripheral device comprising a menu driven system adapted to receive information from a customer, wherein the menu driven system interacts with the customer to ask the customer a number of previous transactions to be played backed to the customer. This amendment is supported by the specification at, for example, page 19, second paragraph. As described in the

specification, the system can ask the customer for the number of previous calls, and once that number has been received by the system, the system plays back information regarding those calls. In one embodiment, the system tells the customer the date and time of the call, whether the call was an incoming or outgoing call, the duration of the call, the cost of the call, and the other party's telephone number. In other words, the system, according to an exemplary embodiment, can interactively communicate with the customers and provide a number of previous calling, including incoming and outgoing calls, information according to the customer's request.

McConnell fails to teach or suggest that the menu driven system interacts with the customer to ask the customer a number of previous transactions to be played back to the customer, as recited in amended claim 1.

In McConnell, as described in column 3, lines 53-67, IVRU (Interactive Voice Response Unit) can interact with users to play announcements, collect dual-tone-multi-frequency ("DTMF") digits, and recognize speech. The IVRU, however, does not include a menu driven system that interacts with the customer to ask the customer a number of previous transactions to be played back to the customer. Indeed, except for playing announcements, collecting dual-tone multi-frequency digits, and recognizing speech, no other actions of IVRU 52 have been taught or suggested by McConnell. No teaching of a menu driven system that interacts with the customer to ask the customer a number of previous transactions to be played back to the customer has been found in McConnell.

Accordingly, Applicants respectfully submit that independent claim 1 is patentable over McConnell under 35 U.S.C. 103(a). Claims 2, 4, 6-9, 12, 13, and 15 depend ultimately from

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claim 1 and are considered allowable for at least the same reasons. New "method" claims 16-25 recites similar features as claims 1, 2, 4, 6-9, 12, 13, and 15, respectively, and are considered allowable for at least the same reasons.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicants' undersigned representative at the number listed below.

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J. ESPEJO ET AL.

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By:

  
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